

Application No.: ID-000119-8

Name of permittee: Monsanto Company

Effective date: October 21, 1973

Expiration date: June 30, 1977

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE PERMIT

In reference to the above application for a permit to discharge in compliance with the provisions of the Federal Water Pollution Control Act, as amended by the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500, October 18, 1972 (33 U.S.C. § 1251 et. seq.) (hereinafter referred to as "the Act").

Monsanto Company

was authorized by James L. Agee, Regional Administrator, Region X, EPA, to discharge from their Soda Springs, Idaho plant to Soda Creek

in accordance with the following general and special conditions:

Signed this 21st day of September 1973.

/s/ James L. Agee
Regional Administrator

This modification shall become effective November 15, 1976.

Signed this 13th day of October 1976.

W. B. Reed
Acting Director, Enforcement Division

James L. Agee

General Conditions

G1. All discharges authorized herein shall be consistent with the terms and conditions of this permit; facility expansions, production increases, or process modifications which result in new or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such new or increased discharge does not violate the effluent limitations specified in this permit, by submission to the permit issuing authority of notice of such new or increased discharges of pollutants (in which case the permit may be modified to specify effluent limitations for any pollutants not identified and limited herein); the discharge of any pollutant more frequently than or at a level in excess of that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

G2. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. * A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

G3. Notwithstanding G2. above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the Act for a toxic pollutant which is present in the discharge authorized herein and such standard or prohibition is more stringent than any limitation upon such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee shall be so notified.

G4. The permittee shall allow the head of the State water pollution control agency, the Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit;
- b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit;

c. To inspect at reasonable times any monitoring equipment or monitoring method required in this permit; or,

d. To sample at reasonable times any discharge of pollutants.

G5. The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

G6. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

G7. This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

G8. The specific effluent limitations and other pollution controls applicable to the discharge permitted herein are set forth below in the special conditions. Also set forth below are self-monitoring and reporting requirements. Unless otherwise specified, the permittee shall submit duplicate original copies of all reports to the head of the State water pollution control agency and the Regional Administrator. Except for data determined to be confidential under section 308 of the Act, all such reports shall be available for public inspection at the offices of the head of the State water pollution control agency and the Regional Administrator. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in section 309 of the Act.

Special ConditionsSl. Initial effluent limitations

During the period beginning on the effective date of this permit and lasting until September 30, 1975, discharges from outfall 001 shall be limited and monitored by the permittee as specified below:

a. The following shall be limited and monitored by the permittee as specified:

Effluent Characteristic	Discharge Limitation in kg/day (lbs/day)		Other Limitations		Monitoring Requirements	
	Daily Average	Daily Maximum	Average	Maximum	Measurement Frequency	Sample Type
Flow	-	-	12,100 cu m/day (2.67 MGD)	14,500 cu m/day (3.83 MGD)	Daily	Continuous
Temperature	-	-	-	70°F	Daily	Grab
Total Phosphorus (as P)	80 (176)	126 (277)	-	-	Daily	24-hr composite
Suspended Solids	163 (359)	326 (718)	-	-	Monthly	24-hr composite
Fluoride	10.9 (24)	32.7 (72)	-	-	Monthly	24-hr composite

For the purposes of this subsection, the daily average discharge, except for flow and temperature, is the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. For flow, temperature, and those parameters sampled at a frequency other than daily, the daily average is the arithmetic mean of all samples collected during a calendar month.

For the purposes of this subsection, the daily maximum discharge, except for flow and temperature, means the total discharge by weight during any calendar day.

b. The pH shall not be less than 6.5 nor greater than 9.0. The pH shall be monitored daily by analyzing a grab sample.

c. The plant's intake well water shall be monitored weekly for total phosphorus (as P) by taking samples from the individual wells when operating and compositing according to their actual corresponding usage from each well during the week.

S2. Required Improvements and Final Effluent Limitations

During the period beginning October 1, 1975, and lasting until the date of expiration of this permit, discharges from outfall 001 shall be limited to noncontact cooling water, boiler blowdown, and storm water, which have not become contaminated by process water.

Process water is defined as any water coming into contact with raw materials, intermediates, products, by-products, or gaseous, airborne, or solid wastes. Sanitary wastewater may be included in the above discharge as specified in Condition S3. Alternative a.

During the above period, the discharges from outfall 001 shall be limited and the discharge and plant's intake water shall be monitored by the permittee as specified below:

a. The following shall be limited and monitored by the permittee as specified :

<u>Effluent Characteristic</u>	<u>Discharge Limitations in kg/day (lbs/day)</u>		<u>Other Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Average</u>	<u>Daily Maximum</u>	<u>Average</u>	<u>Maximum</u>	<u>Measurement Frequency</u>	<u>Sampling Type</u>
Flow	--	--	10,100 cu m/day (2.67 mgd)	14,500 cu m/day (3.83 mgd)	Daily	Continuous
Temperature	--	--	--	90°F ^{1/}	Daily	Grab
Total Phosphorus	--	111.4 (245)	(See Subsection b.)		Daily	24-hr composite
Suspended Solids	163 (359)	326 (718)	--	--	Monthly	24-hr composite
Fluoride	9.1 (20)	18.2 (40)	--	2.0 mg/l	Monthly	24-hr composite

^{1/} The heat discharge rate shall not exceed 1.3×10^9 BTU's/day calculated from flow and number of degrees fahrenheit above 32° F.

The maximum heat discharge rate each month shall be reported in accordance with Section S.7.a.

The receiving water one meter above the discharge and approximately ten (10) meters below the discharge shall be monitored weekly for temperature and the results reported in accordance with S.7.

For the purposes of this subsection, the daily average discharge, except for flow and temperature, is the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. For flow, temperature, and those parameters sampled at a frequency other than daily, the daily average is the arithmetic mean of all samples collected during a calendar month.

For the purposes of this subsection, the daily maximum discharge, except for flow and temperature, means the total discharge by weight during any calendar day.

b. The monthly average effluent concentration for total phosphorus (as P) shall be limited by the permittee to the plant's intake water concentration for total phosphorus (as P) plus an increase as specified below:

(1) If alternative a. of condition S3. is selected by the permittee, an increase of 1.18 mg/l of total phosphorus (as P) will be allowed for additions due to water treatment chemicals, boiler blowdown, and sanitary wastewater.

(2) If alternatives b. or c. of condition S3. is selected by the permittee, an increase of 0.93 mg/l of total phosphorus (as P) will be allowed for additions due to water treatment chemicals and boiler blowdowns.

c. The pH shall not be less than 6.5 nor greater than 9.0. The pH shall be monitored daily by analyzing a grab sample.

d. The plant's intake well water shall be monitored weekly for total phosphorus (as P) by taking samples from the individual wells when operating and compositing according to their actual corresponding usage from each well during the week.

S3. Required improvements on sanitary waste treatment system

During the period beginning October 1, 1975, and lasting until the date of expiration of this permit, the permittee shall be in compliance with one of the following conditions:

Alternative a.

Effluent from the plant's sanitary treatment system, before its discharge to the industrial waste stream discharge serial number 001 described above in S2., shall be limited and monitored by the permittee as specified:

<u>Effluent Characteristic</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Instantaneous Maximum</u>	<u>Monitoring Requirements</u>	
				<u>Measurement Frequency</u>	<u>Sample Type</u>
BOD ₅	30 mg/l	45 mg/l	-	Twice/weekly	Grab
Suspended Solids	30 mg/l	45 mg/l	-	Twice/weekly	Grab
Fecal Coliform	200 org/ 100 ml	400 org/ 100 ml	-	Twice/weekly	Grab
Chlorine Residual	-	-	1.0 mg/l	Twice/weekly	Grab

For the purposes of this subsection, the monthly average, other than fecal coliform bacteria, is the arithmetic mean of all samples collected in a one-month period. The monthly average for fecal coliform bacteria is the geometric mean of samples collected in a one-month period. The weekly average, other than for fecal coliform bacteria, is the arithmetic mean of all samples collected during a one-week period. The weekly average for fecal coliform bacteria is the geometric mean of samples collected during a one-week period.

Alternative b.

Chosen b or c, 12/27/74

On or before December 31, 1973, the permittee shall submit to the Regional Administrator an executed contract with the City of Soda Springs calling for treatment of the plant's sanitary wastewater by September 30, 1975. If the contract cannot be obtained by December 31, 1973, the permittee shall provide an independent abatement program to achieve either alternative a. or alternative c.

Alternative c.

Sanitary waste shall be disposed of by a septic tank and subsurface disposal system (or by a non-overflow lagoon) which is installed, operated and maintained in accordance with the requirements of the State of Idaho health division and the local health department and in a manner which prevents the waste from entering any waters of the State or from becoming a nuisance or health hazard.

S4. Schedule of compliance for effluent limitations

a. Permittee shall achieve compliance with the effluent limitations specified above in S2. and S3. for discharges from outfall 001 and for the effluent from the sanitary treatment system in accordance with the following schedule:

- (1) Submittal of Contract, as specified for S2. alternative b., or a Report of Progress by December 31, 1973. ✓ O.K. MAB 1-9-74
- (2) Commencement of construction by June 30, 1974.
- (3) Report of construction progress by December 31, 1974.
- (4) Completion of construction by August 30, 1975.
- (5) Attainment of operational level by October 1, 1975.

b. The permittee shall submit to the permit issuing authority the required report of progress or, where a specific action is required in a. above to be taken by a certain date, a written notice of compliance or noncompliance with each of the above schedule dates, postmarked no later than 14 days following each elapsed date. Each notice of noncompliance shall include the following information:

- (1) A short description of the noncompliance;
- (2) A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirement without further delay;
- (3) A description of any factors which tend to explain or mitigate the noncompliance; and
- (4) An estimate of the date permittee will comply with the elapsed schedule requirement and an assessment of the probability that permittee will meet the next scheduled requirement on time.

S5. Compilation of monitoring data

a. Samples and measurements taken to meet the monitoring requirements specified above shall be representative of the volume and nature of the monitored discharge.

b. Following promulgation of guidelines establishing test procedures for the analysis of pollutants, published pursuant to section 304(g) of the Federal Water Pollution Control Act, as amended, all sampling and analytical methods used to meet the monitoring requirements specified above shall conform to such guidelines. If the section 304(g) guidelines do not specify test procedures for any pollutants required to be monitored by this permit and until such guidelines are promulgated, sampling and analytical methods used to meet the monitoring requirements specified in this permit shall, unless otherwise specified by the Regional Administrator, conform to the latest edition of the following references:

- (1) American Public Health Association, Standard Methods for the Examination of Water and Wastewaters.
- (2) American Society for Testing and Materials, A.S.T.M. Standards, Part 23, Water, Atmospheric Analysis.
- (3) Environmental Protection Agency, Water Quality Office, Analytical Control Laboratory, Methods for Chemical Analysis of Water and Wastes.

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The permittee shall submit a description of the sampling and analyses methods it proposes to use to the Regional Administrator within 30 days of the effective date of this permit, specifying their location in a particular reference work. The permittee shall use only such methods in gathering the required data on the quantity and quality of its effluent.

c. Permittee shall take samples and measurements to meet the monitoring requirements specified above in the effluent before its discharge to the receiving water.

The permittee shall identify the effluent sampling point used for discharge 001 and for the sanitary treatment system, if Condition S3. Alternative a. is elected. The sample point for discharge 001 shall be in the effluent stream before its discharge to the receiving water.

S6. Recording of monitoring activities and results

a. The permittee shall make and maintain records of all information resulting from the monitoring activities required by this permit.

b. The permittee shall record for each measurement or sample taken pursuant to the requirements of this permit the following information: (1) The date, exact place, and time of sampling; (2) the dates analyses were performed; (3) who performed the analyses; (4) the analytical techniques or methods used; and, (5) the results of all required analyses.

c. If the permittee monitors any pollutant more frequently than is required by this permit, he shall include the results of such monitoring in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA Form 3320-1 (10-72)). Such increased frequency shall be indicated on the Discharge Monitoring Report form.

d. The permittee shall retain for a minimum of 3 years all records of monitoring activities and results including all records of calibration and maintenance of instrumentation and original strip chart recordings from continuous monitoring instrumentation. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the Regional Administrator or the State water pollution control agency.

S7. Reporting of monitoring results

a. Monitoring information required by this permit shall be summarized and reported by submitting a Discharge Monitoring Report form (EPA Form 3320-1 (10-72)), properly filled in and signed, to the Regional Administrator and the State agency at the following addresses:

United States Environmental Protection Agency
Region X
1200 6th Avenue
Seattle, Washington 98101

Attn: Permits Branch M/S 521

Idaho Department of Environmental and
Community Services
State of Idaho
Statehouse
Boise, Idaho 83702

b. Each submitted Discharge Monitoring Report shall be signed as follows:

(1) If submitted by a corporation, by a principal executive officer of at least the level of vice president, or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the Discharge Monitoring Report originates;

(2) If submitted by a partnership, by a general partner;

(3) If submitted by a sole proprietor, by the proprietor;

(4) If submitted by a municipality, State or Federal agency, or other public entity, by a principal executive officer, ranking elected official, commanding officer, or other duly authorized employee.

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All information submitted on the Discharge Monitoring Report form shall be based upon measurements and sampling carried out during the previous calendar month. The first Discharge Monitoring Report shall be submitted for the period ending November 30, 1973. Thereafter, reporting periods shall end on the last day of each month. The permittee shall submit a Discharge Monitoring Report postmarked no later than the 28th day of the month following each completed reporting period.

S8. Limitation of discharges of oil and hazardous substances in harmful quantities

The permittee shall not discharge oil into or upon navigable waters or adjoining shorelines in quantities defined as harmful in regulations published at 40 CFR 110, including any amendments or revisions

to such regulations effected subsequent to the date of this permit. In addition, the permittee shall not discharge hazardous substances into or upon navigable waters or adjoining shorelines in quantities defined as harmful in regulations promulgated by the Administrator pursuant to section 311(b)(4) of the Federal Water Pollution Control Act, as amended. Nothing in this permit shall be deemed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the Federal Water Pollution Control Act, as amended, or under any other Federal or State law or regulation.

S9. Limitations of visible floating solids and foam

During the period beginning with the effective date of this permit and lasting until the date of expiration of this permit, the permittee shall not discharge floating solids or visible foam.

S10. Disposal of collected solids

a. Intake water treatment. Solids, sludges, dirt, sand, silt, or other pollutants separated from or resulting from treatment of intake or supply water prior to use by the permittee shall be disposed of in such manner as to prevent any pollutant from such materials from entering navigable waters. Any live fish, shellfish, or other animals collected or trapped as a result of intake water screening or treatment may be returned to their water body habitat.

b. Wastewater treatment. Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in such manner as to prevent any pollutant from such materials from entering navigable waters.

S11. Noncompliance with effluent limitations

a. If for any reason the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall immediately notify the permit issuing authority or his designee by telephone at (206) 442-1200 and provide the permit issuing authority with the following information in writing within five days of such notification:

- (1) Cause of noncompliance;
- (2) A description of the noncomplying discharge including its impact upon the receiving waters;
- (3) Anticipated time the condition of noncompliance is expected to continue, or if such condition has been corrected, the duration of the period of noncompliance;

(4) Steps taken by the permittee to reduce and eliminate the noncomplying discharge; and

(5) Steps to be taken by the permittee to prevent recurrence of the condition of noncompliance.

b. Permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitation specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

c. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, such as equipment breakdown, electric power failure, accident, or natural disaster.

S12. Provision for electric power failure

The permittee shall either:

a. no later than March 31, 1974, certify in writing to the permit issuing authority that the permittee has installed or provided for an alternative electric power source sufficient to operate all facilities utilized by permittee to maintain compliance with the terms and conditions of the permit; or

b. no later than thirty days after the effective date of this permit, certify in writing to the permit issuing authority that upon the reduction, loss, or failure of one or more of the primary sources of electric power to any facilities utilized by the permittee to maintain compliance with the terms and conditions of this permit, the permittee shall halt, reduce, or otherwise control production and/or all discharges in order to maintain compliance with the terms and conditions of this permit.

S13. Prohibition of bypass of treatment facilities

The diversion or bypass of any discharge from facilities utilized by the permittee to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the terms and conditions of this permit. The permittee shall immediately notify the permit issuing authority in writing of each such diversion or bypass in accordance with the procedure specified above for reporting noncompliance.

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S14. Spill prevention and containment plan

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Within 90 days of the effective date of this permit, the permittee shall prepare and submit to the permit issuing authority, a Spill Prevention, Containment, and Countermeasure Plan for the facility covered by this permit. Such plan shall include the following information and procedures relating to the prevention of spills and unauthorized discharges of oil and hazardous substances:

- a. a description of a reporting system to be used to notify immediately persons responsible for management of the facility and appropriate State and Federal authorities;
- b. a description of equipment or facilities (including overall facility plot) for the prevention, containment, or treatment of spills and unauthorized discharges;
- c. a list of all oil and hazardous materials used, processed, or stored at the facility including the normal quantity maintained on the premises for each listed material;
- d. a brief description of any spills or unauthorized discharges which occurred during the 36-month period preceding the effective date of this permit and subsequent measures taken by permittee to prevent or to reduce the possibility of further spills or unauthorized discharges; and
- e. an implementation schedule for additional equipment or facilities which might be required for b. above, but which are not yet operational.

* * * * *

This permit shall become effective on the date of the issuing authority's signature, provided, however, that if the issuing authority is the Regional Administrator, the permit shall become effective on the thirtieth day following the date of the Regional Administrator's signature unless a request for an adjudicatory hearing is filed pursuant to the provisions of section 125.34 of NPDES regulations published at 40 CFR 125.

This permit and the authorization to discharge shall expire on midnight June 30, 1977. Permittee shall not discharge after the above date of expiration. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information, forms, and fees as are required by the agency authorized to issue NPDES permits no later than 180 days prior to the above date of expiration.

By authority of James L. Agee, Regional Administrator, Region X, EPA.

September 21, 1973

(Date)

James L. Agee

(Signature)